UNITED STATES DISTRICT COURT	Γ
EASTERN DISTRICT OF NEW YOR	K

ALAINA SPILKEVITZ,

Plaintiff,

08 CV 3407 (SJF) (ETB)

v.

ECF CASE

CHASE INVESTMENT SERVICES CORP., LAWRENCE MCGOVERN, RICHARD EISEMAN, and ROBERT V. GARRETT,

NOTICE OF MOTION

Defendants.

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PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of their Motions In Limine and the declaration of Lauren Breitman Tanen, together with Exhibits 1 through 9 annexed thereto; and upon all the pleadings and proceedings herein, Defendants request that this Court in connection with these motions: (i) exclude testimony concerning an alleged sexual proposition of Plaintiff by Garrett; (ii) exclude as hearsay testimony from Plaintiff's husband concerning that alleged incident; (iii) exclude evidence concerning alleged male comparators on various grounds, primarily lack of personal knowledge; (iv) strike Plaintiff's claim for expungement of marks on her regulatory license and bar testimony regarding the merits of the customer complaints underlying those marks; (v) exclude the purported transcript and audio recording of a telephone call between Plaintiff's counsel and one of Plaintiff's former customers; (vi) prevent Plaintiff from offering her own handwritten notes as affirmative evidence in support of her case and (vii) exclude testimony from witness Jennifer Watts.

Dated: New York, New York December 2, 2009 Respectfully submitted,

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